

PATENT COOPERATION TREATY

PCT

CODE	DATE	NTD

ANKOM 23 AUG 2004

INTERNATIONAL SEARCH REPORT

DATA

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference

1008

CHECKED

FOR FURTHER ACTION

see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.

International application No.

PCT/GB 03/05091

International filing date (day/month/year)

24/11/2003

(Earliest) Priority Date (day/month/year)

28/11/2002

Applicant

ASTRAZENECA AB

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☒ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

OXAZOLIDINONES AS ANTIBACTERIAL AGENTS

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 03/05091

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C07D413/14

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, CHEM ABS Data, BEILSTEIN Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/81350 A (ASTRAZENECA UK LTD ; BETTS MICHAEL JOHN (GB); GRIFFIN DAVID ALAN (GB);) 1 November 2001 (2001-11-01) the whole document	1-10, 12-18, 21-25
Y	WO 01/94342 A (DONG A PHARM CO LTD ; CHO JONG HWAN (KR); CHOI SUNG HAK (KR); LEE JAE) 13 December 2001 (2001-12-13) the whole document	1-10, 12-18, 21-25
Y	WO 02/081470 A (SWAIN MICHAEL LINGARD ; ASTRAZENECA UK LTD (GB); BETTS MICHAEL JOHN (G) 17 October 2002 (2002-10-17) the whole document	1-10, 12-18, 21-25
A	US 2002/115669 A1 (PILUSHCHEV MARINA ET AL) 22 August 2002 (2002-08-22) example 23	1
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

27 July 2004

Date of mailing of the international search report

18. 08. 2004

Name and mailing address of the ISA

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Authorized officer

Von Daacke, A

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 03/05091

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,A	WO 03/022824 A (SWAIN MICHAEL LINGARD ; ASTRAZENECA UK LTD (GB); MILLS STUART DENNETT) 20 March 2003 (2003-03-20) the whole document -----	1-10, 12-18, 21-25
P,A	WO 03/072575 A (ASTRAZENECA UK LTD ; ASTRAZENECA AB (SE); FLEMING PAUL ROBERT (US); RE) 4 September 2003 (2003-09-04) the whole document -----	1-10, 12-18, 21-25
P,A	WO 03/072576 A (ASTRAZENECA UK LTD ; ASTRAZENECA AB (SE); FLEMING PAUL ROBERT (US); RE) 4 September 2003 (2003-09-04) the whole document	1-10, 12-18, 21-25
P,X	example 37 -----	19,20
P,A	WO 03/035648 A (ASTRAZENECA UK LTD ; ASTRAZENECA AB (SE); GRAVESTOCK MICHAEL BARRY (US) 1 May 2003 (2003-05-01) the whole document -----	1-10, 12-18, 21-25
A	RONDSTEDT, CHRISTIAN S., JR. ET AL.: "Unsaturated sulfonic acids. V." JOURNAL OF THE AMERICAN CHEMICAL SOCIETY, vol. 77, 1955, pages 6532-6540, XP002290054 -----	19,20

INTERNATIONAL SEARCH REPORT

International application No.
PCT/GB 03/05091

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 11
because they relate to subject matter not required to be searched by this Authority, namely:
Although claim 12 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☒ Claims Nos.: 11
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claim 12 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box I.2

Claims Nos.: 11

Due to the lack of any structural informaton, the scope of Claim 11 is completely unclear (Art. 6 PCT).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 03/05091

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0181350	A	01-11-2001	AT 268778 T	15-06-2004
			AU 4863601 A	07-11-2001
			BR 0110240 A	07-01-2003
			CA 2405349 A1	01-11-2001
			CN 1437603 T	20-08-2003
			CZ 20023527 A3	15-01-2003
			DE 60103754 D1	15-07-2004
			EE 200200598 A	15-04-2004
			EP 1286998 A1	05-03-2003
			WO 0181350 A1	01-11-2001
			HU 0300416 A2	28-06-2003
			JP 2003531211 T	21-10-2003
			NO 20025091 A	09-12-2002
			NZ 521765 A	28-05-2004
			US 2003216373 A1	20-11-2003
WO 0194342	A	13-12-2001	KR 2002071576 A	13-09-2002
			AU 5889701 A	17-12-2001
			BR 0111280 A	10-06-2003
			CA 2411859 A1	13-12-2001
			CN 1433413 T	30-07-2003
			EP 1289984 A1	12-03-2003
			HU 0301562 A2	29-12-2003
			JP 2003535860 T	02-12-2003
			WO 0194342 A1	13-12-2001
			NZ 522990 A	29-08-2003
			US 2003166620 A1	04-09-2003
WO 02081470	A	17-10-2002	EP 1385844 A1	04-02-2004
			WO 02081470 A1	17-10-2002
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WO 03022824	A	20-03-2003	CA 2459766 A1	20-03-2003
			EP 1427711 A1	16-06-2004
			WO 03022824 A1	20-03-2003
WO 03072575	A	04-09-2003	WO 03072575 A1	04-09-2003
WO 03072576	A	04-09-2003	WO 03072576 A2	04-09-2003
WO 03035648	A	01-05-2003	WO 03035648 A1	01-05-2003
			GB 2396350 A	23-06-2004

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